

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

DEMCHAK PARTNERS LIMITED
PARTNERSHIP; JAMES P. BURGER, JR. and
BARBARA H. BURGER; WILLIAM A.
BURKE, II and CLARA BURKE; WILLIAM
A. BURKE, III; EDWARD J. BURKE;
DONALD G. FULLER and KAREN M.
FULLER; RANDY K. HEMERLY; LAMAR R.
KING; LINDA J. SCHLICK; AND JANET C.
YOUNG, on Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

and

RUSSELL E. BURKETT and GAYLE
BURKETT,

Plaintiffs-Intervenors,

v.

CHESAPEAKE APPALACHIA, L.L.C.,

Defendant.

Case No. 3:13-cv-2289

DEFENDANT’S STATUS REPORT

Pursuant to the Court’s August 12, 2020 Order (ECF No. 227), Defendant Chesapeake Appalachia, L.L.C. (“Chesapeake”) submits this report addressing the status of the voluntary Chapter 11 petitions of Chesapeake Energy Corporation and its subsidiaries in the United States Bankruptcy Court for the Southern District of Texas.

On July 7, 2020, Chesapeake submitted a notice of pendency of bankruptcy to this Court (ECF No. 226). On March 3, 2021, the parties reached the settlement agreement attached as Exhibit A. *See* Notice of Settlement Pending Bankruptcy Court Approval (ECF No. 230). The bankruptcy court preliminarily approved the settlement agreement on April 7, 2021. Order, *In re Chesapeake Energy Corp.*, No. 20-33233 (Bankr. S.D. Tex. Apr. 7, 2021), ECF No. 3415. Certain lessors (the “Pennsylvania Proof of Claim Lessors”) appealed the preliminary approval order. Notices of Filing of an Appeal, *In re Chesapeake Energy Corp.*, No. 20-33233 (Bankr. S.D. Tex. Apr. 13, 2021), ECF Nos. 3480 & 3481. Chief Judge Rosenthal of the U.S. District Court for the Southern District of Texas dismissed the appeal on June 3. Mem. & Op., *In re Chesapeake Energy Corp.*, No. 4:21-cv-01215 (S.D. Tex. June 3, 2021), ECF No. 37. The Pennsylvania Proof of Claim Lessors filed an appeal of Chief Judge Rosenthal’s decision with the Fifth Circuit Court of Appeals. Notice of Appeal, *RDNJ Trowbridge v. Chesapeake Energy Corp.*, No. 21-20323 (5th Cir. June 21, 2021), ECF No. 00515908374. Chief Judge Rosenthal presided over the final fairness hearing on July 27, 2021, and granted final settlement approval on August 23, 2021. The Pennsylvania Proof of Claim Lessors filed an appeal of the final approval decision on August 25, 2021. *See Pa. Proof of Claim Lessors v. Chesapeake Energy Corp.*, No. 21-20456 (5th Cir.), *consolidated with RDNJ Trowbridge v. Chesapeake Energy Corp.*, No. 21-20323 (5th Cir.). Appellants’ brief

is due February 17, 2022, Appellees' brief is due March 21, 2022, and Appellants' reply is due April 11, 2022.

Dated: February 7, 2022

Respectfully submitted,

/s/ Daniel T. Donovan

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Appalachia, L.L.C.*

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2022, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties who have appeared in this action via the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Daniel T. Donovan

Daniel T. Donovan

Attorney for Defendant